

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JUAN BARELA and LYNN BARELA,

Plaintiffs,

v.

ELLIS W. JOHNSON, M.D., *et al.*,

Defendants.

NO. C05-5785RBL

ORDER DENYING PLAINTIFFS'
IFP APPLICATION

This matter is before the Court on Plaintiffs' application to proceed in forma pauperis under 28 U.S.C. § 1915(a). The court has broad discretion in determining an application to proceed in forma pauperis. Weller v. Dickson, 314 F.2d 598 (9th Cir. 1963), cert. denied 375 U.S. 845 (1963).

As of the date of the filing of this case, Plaintiffs listed among their assets a residence worth 190,000 and reported that, between retirement and Social Security benefits, they have a monthly income of \$1728.00.

It is apparent that Plaintiff is able to pay the filing fee in this case, and should be required to do so. Accordingly, the Court will DENY application to proceed in forma pauperis. Plaintiff shall have 90 days from the date of this order to pay the required filing fee or this matter will be dismissed without further notice.

DATED this 12th day of January, 2006.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE